

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

VILAS ARGUETA,

:

Plaintiff

:

v.

: 3:22-CV-812

: (JUDGE MARIANI)

UNITED STATES, et al.,

:

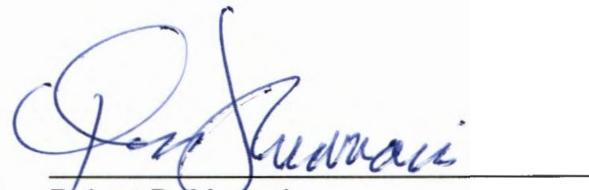
Defendants

ORDER

AND NOW, THIS 3rd DAY OF NOVEMBER, 2022, upon review of

Magistrate Judge Mehalchick's Report & Recommendation ("R&R") (Doc. 10) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 10) is **ADOPTED** for the reasons stated therein.
2. Plaintiff's action is **DISMISSED** pursuant to Fed. R. Civ. P. 41(b) for failure to comply with the Court's Orders and for failure to prosecute this action.¹
3. The Clerk of Court is directed to **CLOSE** this action.



Robert D. Mariani
United States District Judge

¹ Judge Mehalchick's reasoning and conclusion that Plaintiff has failed to prosecute and has abandoned this action is further supported by Plaintiff's failure to file any Objections to the pending R&R.

The Court also agrees with the R&R's findings that an application of the *Poulis* factors further supports the dismissal of this action. See (Doc. 10, at 4-8); *Poulis v. State Farm Fire and Cas. Co.*, 747 F.2d 863 (3d Cir. 1984).